

IN RE: PETITION FOR VARIANCE * BEFORE THE
SW/S Academy Avenue, 75' N of its *
intersection w/Dolfield Blvd. * DEPUTY ZONING COMMISSIONER
(811 Academy Avenue) *
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Case No. 97-114-A
Michael A. Sotir *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the property known as 811 Academy Avenue, located in the vicinity of Gwynnbrook Avenue in Reisterstown. The Petition was filed by the owner of the property, Michael A. Sotir. The Petitioner seeks relief from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 17.5 feet in lieu of the minimum required 30 feet for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael A. Sotir, property owner, and Joseph W. McGraw, Professional Engineer, who prepared the site plan for this project. Appearing as a Protestant in the matter was John Amole, adjoining property owner.

Testimony and evidence offered revealed that the subject property is part of a larger tract located on the southwest corner of Academy Avenue and Dolfield Boulevard, which is proposed to be subdivided into two lots, pursuant to a minor subdivision request previously filed by the Petitioner. The overall tract is approximately 75 feet wide by 400 feet deep, and consists of a gross area of 0.7006 acres, more or less, zoned D.R. 3.5. The property is presently unimproved, however, the Petitioner is proceeding

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

through the minor subdivision process to create two lots which he proposes to develop with single family dwellings. The house on the front portion of the property will front on Academy Avenue, while the house to the rear of this tract will front on Dolfield Boulevard. Due to the narrow width of this lot, however, a variance is needed in order to develop the rear lot of the property as proposed.

Appearing in opposition to the Petitioner's request was John Amole, owner of the adjoining property at 809 Academy Avenue. Mr. Amole testified that he has resided on his property for the past 8 years. He is opposed to the subdivision of the subject property and while he does not object to a house being built on the front portion of the lot facing Academy Avenue, he does not want to see a second house built on the rear of this property.

Further testimony revealed, and the minor subdivision process will demonstrate, that the subject property contains sufficient acreage in order to be subdivided into two lots. The property contains 0.7006 acres and is zoned D.R. 3.5, which permits 3.5 dwelling units per acre. Given its size and zoning classification, it is clear that the subject property can be subdivided into two building lots. However, due to the narrow configuration of the property and the fact that the proposed dwelling on the second lot will be oriented to face Dolfield Boulevard, the requested relief is necessary. All other area setback requirements will be met by the proposed development.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

ORDER RECEIVED FOR FILING
Date 11/22/96
By [Signature]

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE / JENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

174869

DATE 9.10

ACCOUNT

2.001.6130.

AMOUNT \$ 85.00

RECEIVED FROM:

J.S.T.

Microfilm

OIC P.O.

\$50

080-1512

135

PU + Sign

FOR:

MICROFILM

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

039130153MICHKC
BA 00121013PM09-10-93

\$85.00

SM

113.

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING

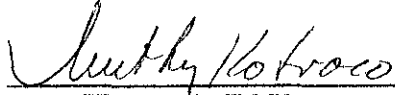
Date

By

MICROFILMED

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of October, 1996 that the Petition for Variance seeking relief from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 17.5 feet in lieu of the minimum required 30 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 10/22/96
By [Signature]

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Maynard 21204 of Room 118, Old Courthouse, 480 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-114-A

(Item 113)

811 Academy Avenue
NWS Dohfield Boulevard,
214 W of Academy Avenue
4th Election District
3rd Councilmanic
Legal Owner(s):
Michael A. Sotir

Variance: to allow a front yard depth of 17.5 feet in lieu of the required 30 feet.

Hearing: Tuesday, October 15, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations
Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

9/318 Sept. 26

086509

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/26, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/26, 1996

THE JEFFERSONIAN,

A. H. Amick
LEGAL AD. - TOWSON

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 22, 1996

Mr. Michael A. Sotir
709 Clivedon Road
Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE
SW/S Academy Avenue, 75' N of its intersection w/Dolfield Boulevard
(811 Academy Avenue)
4th Election District - 3rd Councilmanic District
Michael A. Sotir - Petitioner
Case No. 97-114-A

Dear Mr. Sotir:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Joseph W. McGraw, Jr., JST Engineering Co., Inc.
3812 Mary Avenue, Baltimore, Md. 21206

People's Counsel

✓ File

MICROFILMED



Petition for Variance

97-114-A

to the Zoning Commissioner of Baltimore County

for the property located at

#811 Academy Avenue
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.3c (CHART) to Allow

A FRONT YARD DEPTH OF 17.5 FT. IN LIEU OF THE REQUIRED 30 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is proposed to be subdivided thru minor subdivision process and front yard variance is needed to accommodate a house on the rear lot.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Michael A. Sotin
(Type or Print Name)

Michael A. Sotin
Signature

709 Clivedon Road
Address

Balt. Maryland 21208
City State Zipcode

Attorney for Petitioner.

(Type or Print Name)

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Michael A. Sotin
(Type or Print Name)

Michael A. Sotin
Signature

709 Clivedon Road
(Type or Print Name)

Balt. MD
Signature

709 Clivedon Road (410) 486-6543

Address Phone No

Baltimore, MD. 21208
City State Zipcode

Name, Address and phone number of representative to be contacted.

Joseph W. McGraw, Jr.
c/o JST Engineering Co., Inc.
Name

3812 Mary Avenue (410) 444-8848
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: SNT DATE 9-10-96.

113

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

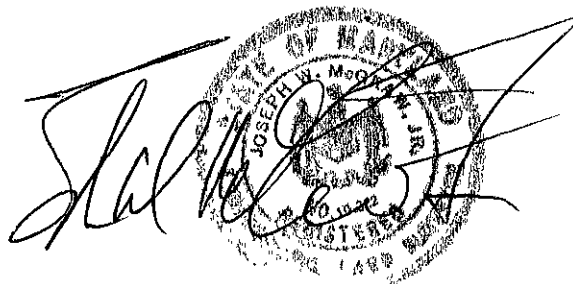
MICROFILMED

Zoning Administration

ZONING DESCRIPTION FOR #811 ACADEMY AVENUE.

97-114-A

Beginning at a point on the north side of Dolfield Boulevard which is variable in width at the distance of 413.00 feet more or less west of the centerline of the nearest improved intersecting street, Academy Avenue, which is 60 feet wide. Being Lot #16, Block B, in the subdivision of PROPERTY OF C.D. MOSER, as recorded in Baltimore County Plat Book #7, Folio 155, containing 30,518.9 more or less square feet. Also known as #811 Academy Avenue and located in the 4TH Election District, 3RD Councilmanic District.

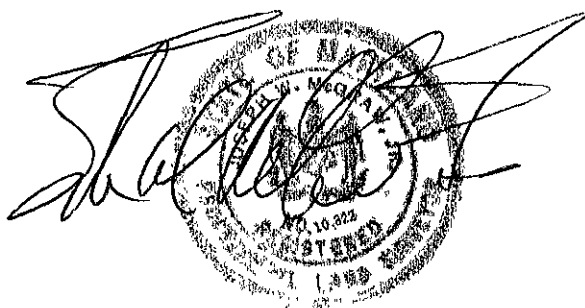


WMS:JPL/MML

ZONING DESCRIPTION FOR #811A ACADEMY AVENUE

97-114-A

Beginning at a point on the north side of Dolfield Boulevard which is variable in width at the distance of 214.00 feet more or less west of the centerline of the nearest improved intersecting street, Academy Avenue, which is 60 feet wide. Being the westernmost one half of Lot #16, Block B, in the subdivision of PROPERTY OF C.D. MOSER, as recorded in Baltimore County Plat Book #7, Folio #155, containing 15,000 more or less square feet. Also known as #811A Academy Avenue and located in the 4TH Election District, 3RD Councilmanic District.



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-114-A

Date of Posting

9/27/95

District

4

Posted for:

811 Academy Ave.

Petitioner:

Michael A. Abate

Location of property:

Same

Location of Signer:

Same

Remarks:

Posted by

Mark Lane

Secretary

Date of return:

Number of Signs:

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-114-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 113 Petitioner: Michael Sotier, c/o Blueprint Builders

Location: 811 Academy Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael Sotier, c/o Blueprint Builders

ADDRESS: 709 Clivedon Road

Baltimore, MD. 21208

PHONE NUMBER: (410) 486-6543



MICROFILMED

113

TO: PUTUMENT PUBLISHING COMPANY
September 26, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Sotir
c/o Blueprint Builders
709 Clivedon Road
Baltimore, MD 21208
486-6543

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-114-A (Item 113)
811 Academy Avenue
N/S Dolfeld Boulevard, 214' W of Academy Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Michael A. Sotir

Variance to allow a front yard depth of 17.5 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-114-A (Item 113)
811 Academy Avenue
N/S Dolfield Boulevard, 214' W of Academy Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Michael A. Sotir

Variance to allow a front yard depth of 17.5 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Michael A. Sotir
Joseph W. McGraw, Jr.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 8, 1996

Mr. Michael A. Sotir
709 Clivedon Road
Baltimore, MD 21208

RE: Item No.: 113
Case No.: 97-114-A
Petitioner: Michael A. Sotir

Dear Mr. Sotir:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "Carl Richards, Jr.", is written over a rectangular stamp that contains the word "RECEIVED" in a grid pattern.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

RECEIVED 11/1/96



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 30, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 811 Academy Lane

INFORMATION:

Item Number: 113

Petitioner: Michael A. Sotin

Property Size:

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, it is clear that the petitioner will need to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by:

Division Chief:

AFK: JL

ENCLOSURE

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 1, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 30, 1996
 Item No. 113

The Development Plans Review Division has reviewed the subject zoning item. Dolfield Boulevard is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way. The South edge of the existing paving will be the base line for establishing the paving width of 40-feet on the 60-foot right-of-way.

An additional 10-foot wide revertible slope easement will be required along the frontage of Lot 16-A and 16-B to support the road improvements.

RWB:HJO:jrb

cc: File

ZONE28A

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114,
115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-24-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 113 (JRA)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 23, 96

DATE: Sep 24, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 110
111
112
113
115
116
117

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED



C.A. Dutch Ruppersberger, III
Baltimore County Executive

Executive Office
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2450
Fax: (410) 887-5781

September, 1996

Dear County Employee:

The 1996 United Way of Central Maryland charity campaign for Baltimore County Government is now in full swing. Please help United Way continue to aid family, friends, and neighbors by generously contributing to this year's gift giving.

One out of three people is touched by a United Way service each year--600,000 individuals whose lives are better because we care enough to give.

Far too many of our fellow citizens find it difficult to provide for the basics of life--food, clothing, shelter, and health care. Over 10,000 children in our County live below the poverty line. Homeless shelters serve nearly 3,000 and turned away over 1,000 more. Nearly twenty percent of our residents are over the age of sixty, with many lacking the necessary support and services to aid them. With limited resources, County Government cannot help all of those in need. Fortunately, we can count on over 300 United Way human care services to help improve the quality of life in our County.

Through United Way, we can help teens learn personal responsibility, teach adults how to read, provide affordable day care for our children, improve health care for families, help people with disabilities lead more independent lives, and care for the elderly.

We are extremely proud of Baltimore County employees' tradition of generously supporting the United Way. We are once again asking you to help the less fortunate by contributing to this year's campaign.

On behalf of the recipients of your contributions, thank you.

C.A. Dutch Ruppersberger
C.A. Dutch Ruppersberger, III
County Executive
Baltimore County
AFSCME, Local 921
Tom Larkin
Fraternal Order of Police, Lodge #4
Ruby C. Williams
Supervisory, Management & Confidential Employees

George G. Perdikalakis
Chairman, 1996 United Way Campaign
Baltimore County Federation of Public Employees
James J. Clark
Baltimore County Fire Fighters Association, Local 1311
Robert Smith
Baltimore County Federation of Public Health Nurses

RE: PETITION FOR VARIANCE
811 Academy Avenue, N/S Dolfeld Blvd,
214' W of Academy Avenue
4th Election District, 3rd Councilmanic

Michael A. Sotir
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-114-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Joseph W. McGraw, Jr., JST Engineering Co., Inc., 3812 Mary Avenue, Baltimore, MD 21206, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 25, 1986

CHARLES

Mrs. Christine Moser
129 Fox Run Road
Hanover, Pennsylvania 17331

97-114-A

Re: Dolfield Boulevard

Dear Mrs. Moser:

This letter serves as written confirmation that the lot you own at 327 Academy Avenue is no longer impacted by the extension of Dolfield Boulevard. The extension of Dolfield Boulevard, east of Reisterstown Road, has been dropped as a Master Plan capital improvement project. Therefore, Baltimore County has no further need to purchase any portion of your property for Dolfield Road.

I hope this letter answers your questions. If not, please contact me at (410) 887-3259.

Sincerely,

Eric Rockel, Supervisor
Contact, Negotiations and Records
Bureau of Land Acquisition

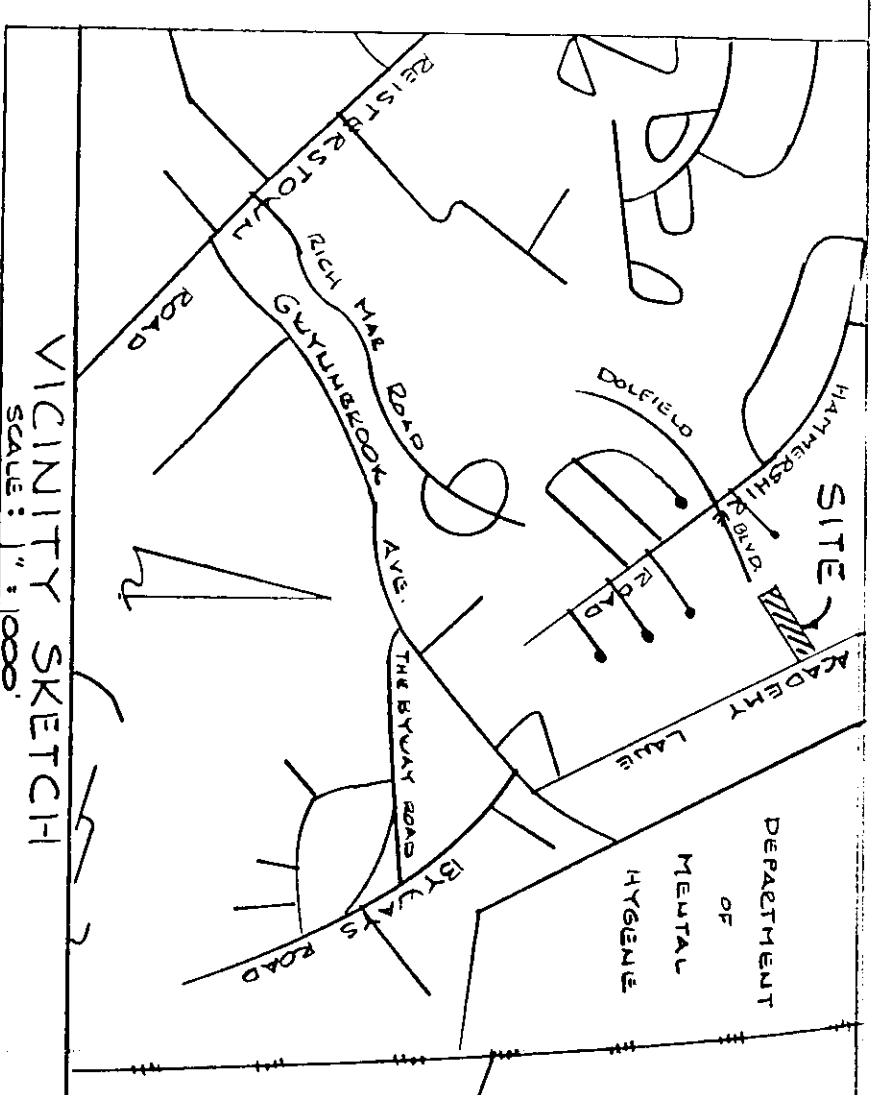
APPROVED, Robert C. Berner, P.E.
Highway Design Section
Bureau of Engineering and Construction

RR:sn

MICROFILMED

113

1. Lot 16 is CURRENTLY VACANT. Proposed use of Lot 16 is for SINGLE FAMILY DWELLING.
2. There are no PLEISTOCENE REMAINS FOR THIS SITE.
3. This PROPERTY AS SHOWN ON THE PLAN HAS BEEN PAID OF THE GROSS AREA OF THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE SITE AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UNDEVELOPED, RECOVERED OR REPRESENTED AS BEING OR AN AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
4. There are no STREAMS OR OR NEAR THE PROPERTY.
5. There are no RARE, THREATENED OR ENDANGERED SPECIES HABITATS ON THIS SITE.
6. A WAIVER TO PERMIT PAYMENT OF A FEE IN LIEU OF L.O.S. DEDICATION WOULD BE REQUESTED FOR THIS SITE.
7. A WAIVER FOR STREET WATER MANAGEMENT WILL BE REQUESTED FOR THIS SITE.
8. DISTURBED AREA: 4950 SQ. FT.
9. The COUNCILS SHOULD ON THIS PLAN ARE TAKEN FROM BALTIMORE COUNTY'S 200 SCALE PHOTOGRAPHIC MAPS.
10. There are no known UNDERGROUND STORAGE TANKS ON THIS SITE.
11. There are no known UNDERGROUND STORAGE TANKS ON THIS SITE.
12. A WAIVER TO ALLOW THE 17.5' FRONT SETBACK ON LOT 16-B WILL BE REQUESTED.
13. This PROPERTY CONTAINS NO HISTORICAL SITES.
14. This PLURAL SUBDIVISION IS EXEMPT FROM THE BALTIMORE COUNTY FOREST CONSERVATION PROGRAM BECAUSE IT IS UNDER 40,000 SQ. FT.
15. THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
16. PUBLIC WATER AND SEWER IS AVAILABLE TO THE SITE.
17. THERE ARE NO ZONING VIOLATIONS OR PAID REMEDIES ON THIS SITE.



1. AREA OF TRACT: Gross: 30,518.5^{sq} ft. 0.7006 Acs.
Net: 29,768.9^{sq} ft. 0.6834 Acs.
2. Zoning of Tract: D.R. 3.5
This property is shown on Baltimore County's 200
Scale Zoning Map # JU 14-I
3. Density Calculations:

1. LOTS Accounted - 0.7006 Acs. x 3.5 1/2% Ac. = 2 LOTS
2. LOTS Reported - 2 LOTS
3. Owner: ~~Charles E. + Christine O. Mosser~~
129 Fox Run Road
Haworth, PA.
Michael A. Smith
709 GLENBORN ROAD
BALTO. MD. 21208
(410) 486-6543
4. Tax Account No.: 0913075877
5. A. PLAT: "Report of C.D. Mosser, Lot 16, V.P.R.C. 7/55"
6. B. Deed REFERENCE: 4164/446 etc.
7. Tax Map: "SB Block: " 1 Parcel: " 15"
8. Census Tract: #042.01, REGIONAL PLANNING DISTRICT: 306 E
SCHOOL DISTRICT: INTERMEDIATE ELEMENTARY SCHOOL
VAREZHEB: REINTERSTOWN HIGH
9. Subvalue added: 67

SUBMITTED: 67

[illegible]

PLAT TO ACCOMPANY PETITION

For

Zoulu Variance

~~MARK SCHEDVATION~~

07

811. ACADEMY AVENUE

4TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND
PROCESSIONAL

Minor Subdivision # 96-101-M

Scale: 1" = 50'

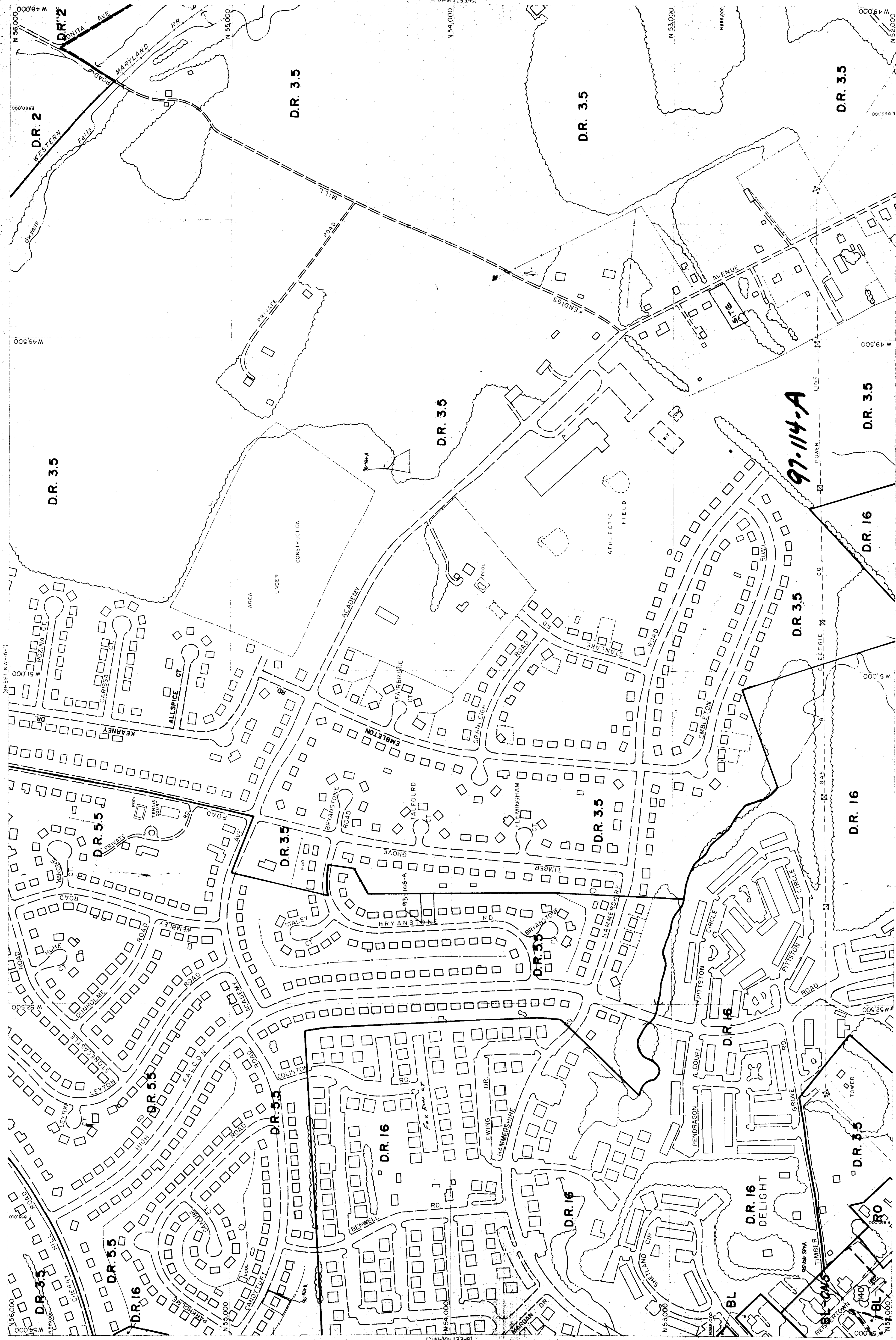
DATE: 6-26-96
REV.: 9-9-96
113

PLAN PREPARED BY:

J.S.T. ENGINEERING Co., Inc.
3812 MARY AVENUE
BALTIMORE, MARYLAND 21206
(410) 444-8848

St. M. Grosser

97-114-A



<p>BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP</p>		<p>1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92</p>	<p>SCALE 1" = 200' ±</p>	<p>LOCATION DELIGHT GWYNNBROOK</p>
<p>THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210</p>		<p>DATE PHOTOGRAPHY JANUARY 1986</p>	<p>SHEET N. W. 14-1</p>	

William C. Howard
 Chairman, County Council

IN RE: PETITION FOR VARIANCE
SW/S Academy Avenue, 75' N of its
intersection w/Dolfield Blvd.
(811 Academy Avenue)
4th Election District - 3rd Councilmanic District
Michael A. Sotir
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-114-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the property known as 811 Academy Avenue, located in the vicinity of Gwynbrook Avenue in Reisterstown. The Petition was filed by the owner of the property, Michael A. Sotir. The Petitioner seeks relief from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 17.5 feet in lieu of the minimum required 30 feet for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Michael A. Sotir, property owner, and Joseph W. McGraw, Professional Engineer, who prepared the site plan for this project. Appearing as a Protester in the matter was John Amole, adjoining property owner.

Testimony and evidence offered revealed that the subject property is part of a larger tract located on the southwest corner of Academy Avenue and Dolfield Boulevard, which is proposed to be subdivided into two lots, pursuant to a minor subdivision request previously filed by the Petitioner. The overall tract is approximately 75 feet wide by 400 feet deep, and consists of a gross area of 0.7006 acres, more or less, zoned D.R. 3.5. The property is presently unimproved, however, the Petitioner is proceeding

through the minor subdivision process to create two lots which he proposes to develop with single family dwellings. The house on the front portion of the property will front on Academy Avenue, while the house to the rear of this tract will front on Dolfield Boulevard. Due to the narrow width of this lot, however, a variance is needed in order to develop the rear lot of the property as proposed.

Appearing in opposition to the Petitioner's request was John Amole, owner of the adjoining property at 809 Academy Avenue. Mr. Amole testified that he has resided on his property for the past 8 years. He is opposed to the subdivision of the subject property and while he does not object to a house being built on the front portion of the lot facing Academy Avenue, he does not want to see a second house built on the rear of this property.

Further testimony revealed, and the minor subdivision process will demonstrate, that the subject property contains sufficient acreage in order to be subdivided into two lots. The property contains 0.7006 acres and is zoned D.R. 3.5, which permits 3.5 dwelling units per acre. Given its size and zoning classification, it is clear that the subject property can be subdivided into two building lots. However, due to the narrow configuration of the property and the fact that the proposed dwelling on the second lot will be oriented to face Dolfield Boulevard, the requested relief is necessary. All other area setback requirements will be met by the proposed development.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 2 -

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant, as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

- 3 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of October, 1996 that the Petition for Variance seeking relief from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 17.5 feet in lieu of the minimum required 30 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 10/24/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/24/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/24/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/24/96
By [Signature]

- 4 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 22, 1996

Mr. Michael A. Sotir
709 Clivedon Road
Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE
SW/S Academy Avenue, 75' N of its intersection w/Dolfield Boulevard
(811 Academy Avenue)
4th Election District - 3rd Councilmanic District
Michael A. Sotir - Petitioner
Case No. 97-114-A

Dear Mr. Sotir:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Joseph W. McGraw, Jr., JST Engineering Co., Inc.
3812 Mary Avenue, Baltimore, Md. 21206

People's Counsel
file



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at #811 Academy Avenue
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C (Minimum Front Yard Depth of 30 ft.) to 17.5 ft. (in lieu of 30 ft. Required) for the purpose of constructing a single family dwelling.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
Property is proposed to be subdivided thru minor subdivision process and front yard variance is needed to accommodate a house on the rear lot.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Endorser:
Name Michael A. Sotir
Type of Petition Name:
Michael A. Sotir
Address:
709 Clivedon Road
City Baltimore State Md Zipcode 21208
Attorney for Petitioner:
Type of Firm Name:
Joseph W. McGraw, Jr.

When do I submit my petition and when, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition?
Legal Owner(s):
Name Michael A. Sotir
Type of Firm Name:
Michael A. Sotir
Address:
709 Clivedon Road
City Baltimore State Md Zipcode 21208

709 Clivedon Road (410) 486-6543
Baltimore, MD. 21208
City Baltimore State Md Zipcode 21208
Joseph W. McGraw, Jr.
c/o JST Engineering Co., Inc.
Name Joseph W. McGraw, Jr.
Address 3812 Mary Avenue (410) 444-8848
City Baltimore State Md Zipcode 21206

ESTIMATED LENGTH OF HEARING: unavailable for hearing
the following date: Next Two Months
ALL OTHER
REVIEWED BY: SJM DATE 9-10-96

ORDER RECEIVED FOR FILING
Date 10/24/96
By [Signature]

Printed with Synthetic Ink
on Recycled Paper

113

ZONING DESCRIPTION FOR #811 ACADEMY AVENUE. 97-114-A

Beginning at a point on the north side of Dolfield Boulevard which is variable in width at the distance of 413.00 feet more or less west of the centerline of the nearest improved intersecting street, Academy Avenue, which is 60 feet wide. Being Lot #16, Block B, in the subdivision of PROPERTY OF C.D. MOSER, as recorded in Baltimore County Plat Book #7, Folio 155, containing 30,518.9 more or less square feet. Also known as #811 Academy Avenue and located in the 4TH Election District, 3RD Councilmanic District.

Timothy M. Kotroco

ZONING DESCRIPTION FOR #811A ACADEMY AVENUE 97-114-A

Beginning at a point on the north side of Dolfield Boulevard which is variable in width at the distance of 214.00 feet more or less west of the centerline of the nearest improved intersecting street, Academy Avenue, which is 60 feet wide. Being the westernmost one half of Lot #16, Block B, in the subdivision of PROPERTY OF C.D. MOSER, as recorded in Baltimore County Plat Book #7, Folio 155, containing 15,000 more or less square feet. Also known as #811A Academy Avenue and located in the 4TH Election District, 3RD Councilmanic District.

Timothy M. Kotroco

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-114-A

District: 4 Date of Posting: 9/24/96
Posted for: Michael A. Sotir
Petitioner: Michael A. Sotir
Location of property: Academy Avenue
Location of Sign: Sign
Remarks: None Listed
Posted by: Timothy M. Kotroco Date of return: 9/24/96
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of the County of Baltimore, will hold a public hearing on the proposed petition for a Variance from the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the purpose of constructing a single family dwelling, at Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21206 on Tuesday, October 15, 1996 at 1:00 p.m. in Room 113, Old Courthouse, 111 W. Chesapeake Avenue in Towson, Maryland 21206 as follows:
Case: 97-114-A
(Item 12)
811 Academy Avenue
811 Academy Avenue
214.00 of Academy Avenue
4th Election District
3rd Councilmanic District
Legal Owner(s):
Michael A. Sotir
Petitioner: 1
Witness: 1
The hearing will be held at 1:00 p.m. on Tuesday, October 15, 1996 at 1:00 p.m. in Room 113, Old Courthouse, 111 W. Chesapeake Avenue in Towson, Maryland 21206 as follows:
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The hearing will be held at 1:00 p.m. on Tuesday, October 15, 1996 at 1:00 p.m. in Room 113, Old Courthouse, 111 W. Chesapeake Avenue in Towson, Maryland 21206 as follows:
Case: 97-114-A
(Item 12)
811 Academy Avenue
811 Academy Avenue
214.00 of Academy Avenue
4th Election District
3rd Councilmanic District
Legal Owner(s):
Michael A. Sotir
Petitioner: 1
Witness: 1
The hearing will be held at 1:00 p.m. on Tuesday, October 15, 1996 at 1:00 p.m. in Room 113, Old Courthouse, 111 W. Chesapeake Avenue in Towson, Maryland 21206 as follows:
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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 4868

DATE 9-10 ACCOUNT R-001-6130

AMOUNT \$ 85.00

RECEIVED FROM: J.S.T. ENGINEERING
C/O B.O. 150
A.S.C. 150
FOR: C.C.A. 150

Q3491H0158K1CHRC \$85.00
SA 1011-0730M09-17-96
VALIDATION OR SIGNATURE OF CASHIER
S.M. (113)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-114-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 113 Petitioner: Michael Sotir, c/o Blueprint Builders

Location: 811 Academy Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael Sotir, c/o Blueprint Builders

ADDRESS: 709 Clivedon Road

Baltimore, MD. 21208

PHONE NUMBER: (410) 486-6543

Printed with Soybean Ink
on Recycled Paper

12

TO: FUTURE PUBLISHING COMPANY
September 26, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Sotir
c/o Blueprint Builders
709 Clivedon Road
Baltimore, MD 21208
486-6543

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-114-A (Item 113)
811 Academy Avenue
N/S Dolfeld Boulevard, 214' W of Academy Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Michael A. Sotir

Variance to allow a front yard depth of 17.5 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-114-A (Item 113)
811 Academy Avenue
N/S Dolfeld Boulevard, 214' W of Academy Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): Michael A. Sotir

Variance to allow a front yard depth of 17.5 feet in lieu of the required 30 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Michael A. Sotir
Joseph W. McGraw, Jr.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 8, 1996

Mr. Michael A. Sotir
709 Clivedon Road
Baltimore, MD 21208

RE: Item No.: 113
Case No.: 97-114-A
Petitioner: Michael A. Sotir

Dear Mr. Sotir:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Bubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director, PDM DATE: September 30, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 811 Academy Lane

INFORMATION:

Item Number: 113

Petitioner: Michael A. Sotir

Property Size:

Zoning: DR-3.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided, it is clear that the petitioner will need to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by: Jeffrey M. Long

Division Chief: Cary Lewis

AFK:JL

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director Date: October 1, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 30, 1996

Item No. 113

The Development Plans Review Division has reviewed the subject zoning item. Dolfeld Boulevard is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way. The South edge of the existing paving will be the base line for establishing the paving width of 40-feet on the 60-foot right-of-way.

An additional 10-foot wide reversible slope easement will be required along the frontage of lot 10-A and 16-B to support the road improvements.

RWB:HJO:jrb

cc: File

ZONE28A

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114, 115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 113 (JKA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sept 23, 96
DATE: Sept 24, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 110
111
112
113
115
116
117

RBS:sp
BRUCE2/DEPRM/TXTSBP

RE: PETITION FOR VARIANCE * BEFORE THE
811 Academy Avenue, N/S Dolfield Blvd, * ZONING COMMISSIONER
214' N of Academy Avenue *
4th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY
Michael A. Sotir *
Petitioners * CASE NO. 97-114-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Denilio
CAROLE S. DENILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 897-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Joseph W. McGraw, Jr., JST Engineering Co., Inc., 3812 Mary Avenue, Baltimore, MD 21206, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 25, 1996

Charles
Mrs. Christine Moser
129 Fox Run Road
Hanover, Pennsylvania 17331

Re: Dolfield Boulevard

Dear Mrs. Moser:

This letter serves as written confirmation that the lot you own at 327 Academy Avenue is no longer impacted by the extension of Dolfield Boulevard. The extension of Dolfield Boulevard, east of Reisterstown Road, has been dropped as a Master Plan capital improvement project. Therefore, Baltimore County has no further need to purchase any portion of your property for Dolfield Road.

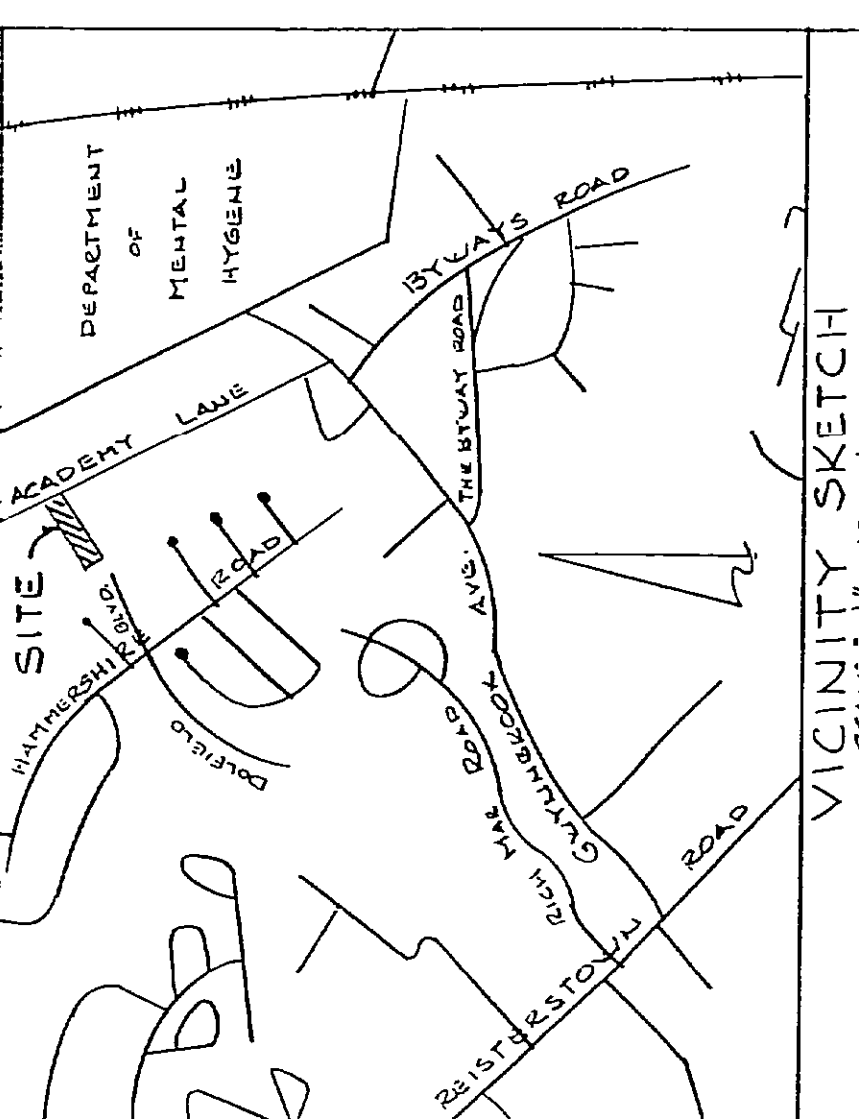
I hope this letter answers your questions. If not, please contact me at (410) 897-3259.

Sincerely,

Eric Rockel
Eric Rockel, Supervisor
Contact, Negotiations and Records
Bureau of Land Acquisition

APPROVED: Robert C. Berner, P.E.
Highway Design Division
Bureau of Engineering and Construction

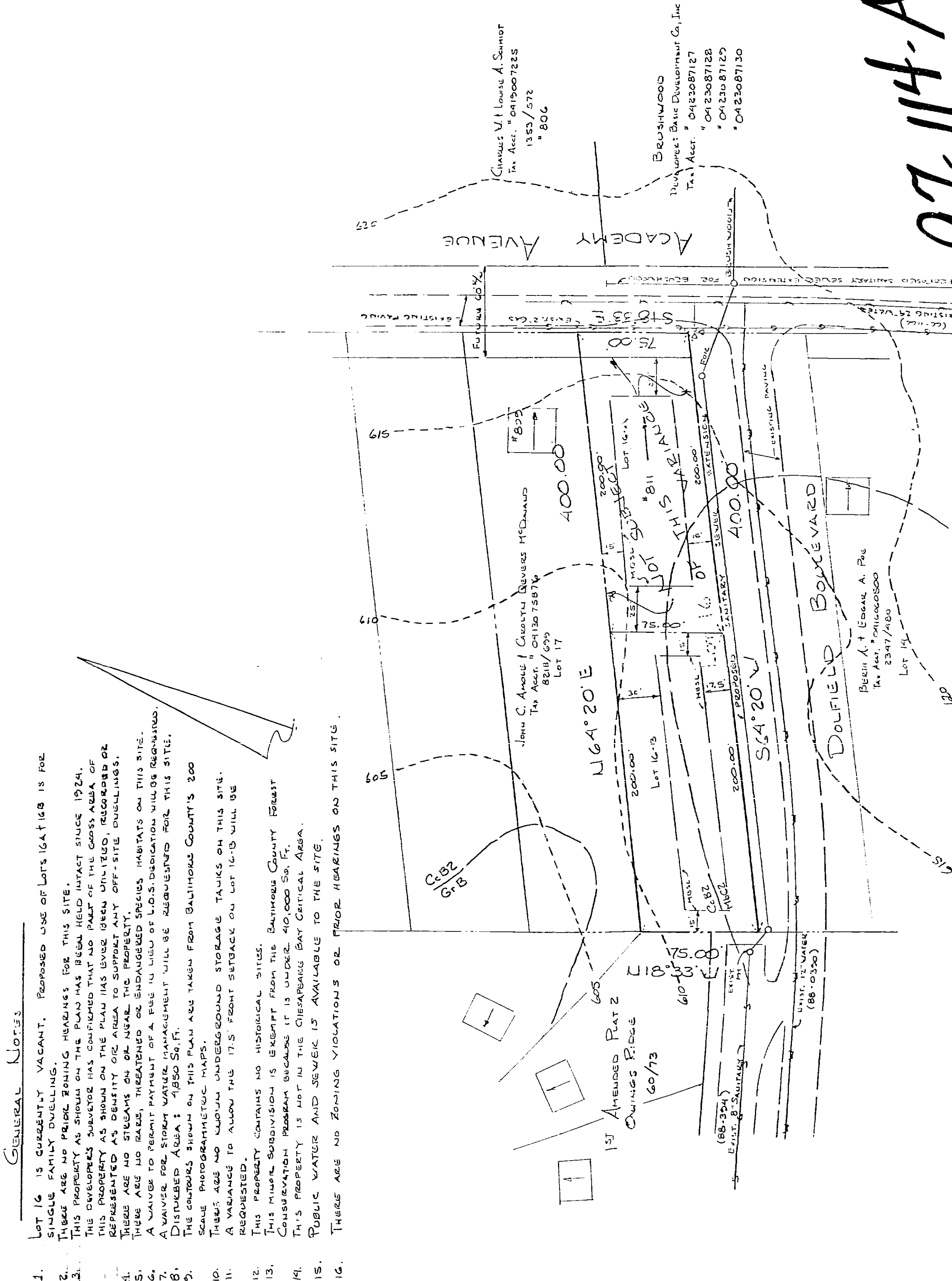
RR:am



- STANDARD NOTES
1. Area of Tract: 6,000.00 sq. ft. 0.1362 Acs.
Net: 20,248.5' x 0.0834 Acs.
 2. Zoning of Tract: D.R. 3.5
 3. This property is shown on Baltimore County's 200 SCALE ZONING MAP # JV 14-I
 4. Density Calculations:
Lot Area: 6,000.00 Acs. x 3.5 U/L = 21,000
Lots Proposed: 2 Lots
 5. Cause: 129 Fox Run Road
129 Fox Run Road
Hawthorne, PA
1331
 6. A. Account No.: 0413075877
B. A. Plan: Plan of C.D. Mass. Lot 16, VRC 7/55.
C. D. Plan: Plan of C.D. Mass. Lot 16, VRC 7/55.
D. D. Plan: Plan of C.D. Mass. Lot 16, VRC 7/55.
 7. Tax Map: SB Block 1 Parcel 15
 8. Census Tract: 2010, Regional Planning District: 2008
School District: Reisterstown Elementary School
Voters: 67
Subdivisions: 67

PLAT TO ACCOMPANY PETITION
FOR
ZONING VARIANCE
MAJOR SUBDIVISION
OF
811 ACADEMY AVENUE
4TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
Minor Subdivision # 96-101-M
DATE: 6-26-96
REV: 3-2-96
113
SCALE: 1" = 50'

St. Michael's



GENERAL NOTES

1. Lot 16 is currently vacant. Proposed use of Lot 16 is for residential purposes.
2. There are no public utility easements on this site.
3. This property is shown on the plan as being held intact since 1924. The owner's survey has confirmed that no part of the corner area of this property is shown on the plan as being held intact since 1924.
4. There are no streams on or near the property.
5. There are no wetlands on or near the property.
6. A variance for stream water management will be required for this site.
7. A variance for stream water management will be required for this site.
8. A variance for stream water management will be required for this site.
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17. A variance for stream water management will be required for this site.
18. A variance for stream water management will be required for this site.
19. A variance for stream water management will be required for this site.
20. A variance for stream water management will be required for this site.

RAW PREPARED BY:
JST Engineering Co., Inc.
3812 Mary Avenue
Baltimore, Maryland 21206
(410) 444-8848

